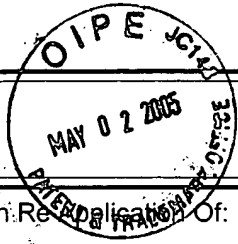


AF 2155 JFW



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
115274-021

In: Re: Application Of: **Levergood et al.**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|-------------------|--------------|----------------|------------------|
| 09/005,479 | January 12, 1998 | Patrice L. Winder | 24573 | 2155 | 2543 |

Title: **INTERNET SERVER ACCESS CONTROL AND MONITORING SYSTEMS**

COMMISSIONER FOR PATENTS:

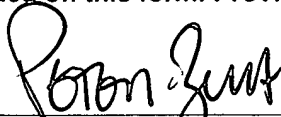
Transmitted herewith is:

Supplementary Response After Final Rejection (2 pages); Return Receipt Postcard

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

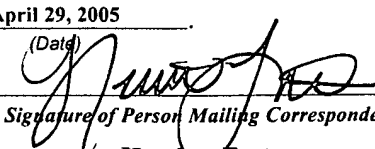
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: **April 29, 2005**

Peter Zura
Reg. No. 48,196
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4208

| | |
|--|--------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on | |
| April 29, 2005 | (Date) |
|  | |
| Signature of Person Mailing Correspondence | |
| Heather Foster | |
| Typed or Printed Name of Person Mailing Correspondence | |

cc:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Levergood et al.
Appl. No.: 09/005,479
Conf. No.: 2543
Filed: January 12, 1998
Title: INTERNET SERVER ACCESS CONTROL AND MONITORING SYSTEMS
Art Unit: 2155
Examiner: Patrice L. Winder
Docket No.: 115274-021

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTARY RESPONSE AFTER FINAL REJECTION PURSUANT TO 37
C.F.R. §1.116**

Sir:

The present remarks are in response to the Advisory Action dated September 27, 2004, and supplement the response filed on September 30, 2004. In the response, Applicants submitted a declaration by George Winfield Treese that swears behind the *Kahan* reference.

When the response dated September 30, 2004 was filed, a telephonic interview was conducted with the Examiner in a bona fide attempt to advance prosecution of the application, and where the contents of the affidavit were discussed. It was agreed during the Interview that the affidavit would overcome the cited documents. Furthermore, as the Advisory Action was mailed only 3 days before the statutory bar date, Applicants filed a Notice of Appeal to maintain pendency of the Application.

However, since that time, no action has been taken by the USPTO on the merits of the application. It was further learned through numerous telephone discussions with the Examiner, that EFW delays were preventing the application from being considered. To date, Applicants have not filed an Appeal Brief in reliance on the aforementioned telephonic interviews that assured Applicants that the rejection would be withdrawn.

Applicants maintain that the declaration of George Winfield Treese overcomes the cited documents, and provides sufficient evidence of conception and diligent reduction to practice to support the §1.131 affidavit. In the telephonic interview conducted April 28, 2005, the Examiner

requested Applicants to submit these remarks to memorialize the contents of the aforementioned discussions.

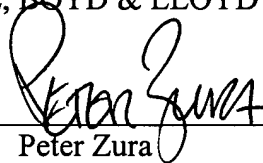
In light of these extraordinary circumstances, Applicants respectfully and earnestly request a prompt examination on the merits. The current delays by the USPTO have caused Applicant to unnecessarily absorb fees, and may potentially prejudice the application as a whole.

If there are any remaining issues the Examiner is encouraged to call Applicants' attorney, Peter Zura at (312) 807-4208 in order to facilitate a speedy disposition of the present case. If any additional fees are required in connection with this response they may be charged to deposit account no. 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Peter Zura

Reg. No. 48,196

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4208

Dated: April 29, 2005